

IN RE: PETITION FOR SPECIAL HEARING  
NWC Old Eastern Avenue and  
Essex Avenue  
15<sup>th</sup> Election District  
5<sup>th</sup> Councilmanic District  
1322 Old Eastern Avenue  
Thomas Hargis  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 99-385-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for special hearing filed by the legal owner of the subject property, Thomas Hargis, for property he owns at 1320 Old Eastern Avenue in the Essex area of Baltimore County. The subject property is zoned D.R.5.5. The special hearing request is for an amendment to the approved Zoning Case No. 96-246-SPH, to allow the installation of two outside car and truck lifts.

Appearing at the hearing on behalf of the Petitioner's request were Thomas Hargis, property owner, Gilbert Rice, a tenant of the property, as well as Christina Waugh, a nearby resident. No one appeared in opposition to the Petitioner's request. However, Mr. Brent Flickinger, a representative of the Office of Planning, did attend the hearing.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 8,473 sq. ft., and is improved with mixed uses consisting of a transmission repair business located in the old automobile repair garage on the front of the property, with a two-apartment dwelling situated to the rear of the property. The subject property is currently occupied by Mr. Glen Rice who, as stated previously, operates a transmission repair business. Mr. Rice has been operating his business for about a year within the subject premises. Letters submitted by the adjacent Mars Hills Baptist Church, as well as Mr. William Harris, a nearby resident, indicate that Mr. Rice operates a very community friendly business and is very attentive to the concerns of the surrounding community. Therefore, by unanimous vote, the Mars Hills Baptist

Church members fully support Mr. Rice in his business operation and also support the installation of the two subject car lifts. Mr. Harris basically has the same position.

Mr. Rice testified that he installed the two electric lifts on the outside of the building in the location where he and his employees formerly utilized manual lifts in order to access the transmissions to be serviced. Mr. Rice, concerned over his safety and that of his employees and nearby residents and their small children, installed electric lifts which are much safer and do not allow vehicles to accidentally fall. Apparently, the old method utilized by Mr. Rice involved hand jacks and blocks where cars would be manually lifted, which at times could shift or fall on workers or children who might be trespassing on the property. Mr. Rice testified that prior to installing these electric lifts, which cost him \$22,000.00, he was assured by representatives of Baltimore County that no permit was necessary for the installation of the lifts in question. After a complaint registered with the Zoning Office, the Petitioner was advised to file a special hearing request to amend the previously approved site plan in Case No. 96-246, in that the electric lifts were not shown on that previous plan.

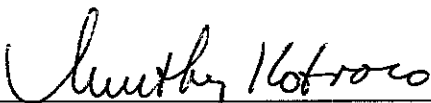
Mr. Brent Flickinger, who appeared from the Office of Planning, was concerned that the installation of the two lifts might be interpreted to be an excessive expansion of the Petitioner's business. However, I find that these electric lifts are not considered to be an expansion at all, in that they are simply being utilized in an accessory fashion to the existing transmission business. This area of the property was always used by the Petitioner to remove transmissions from vehicles. The Petitioner simply has transformed his operation from lifting the vehicles in a manual fashion to lifting the vehicles by way of electrical lifts. Therefore, it is no expansion at all of the previously approved non-conforming use.

However, it is necessary for him to document the change to his site plan by way of this special hearing. After considering the testimony and evidence, I find that the site plan submitted in this

case, marked as Petitioner's Exhibit No. 1, shall be approved. As indicated, the only change to the site plan in this case, from the previously approved site plan, was the fact that the Petitioner now shows the location of the two electric lifts. The Petitioner obviously has a good working relationship with the surrounding community, based on the letters submitted into evidence and the representations made regarding Ms. Karen Springston, who is the community business liaison with the Essex Revitalization Community Corporation. Therefore, I find that the Petitioner has proceeded properly with the installation of these two lifts and the special hearing request should be approved.

THEREFORE, IT IS ORDERED this 23<sup>rd</sup> day of June, 1999, by this Deputy Zoning Commissioner, that the special hearing request to amend the approved site plan in Case No. 96-246-SPH, to show the location of two outside electric car and truck lifts, be and is hereby APPROVED.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and in accordance with Section 501 of the Baltimore County Zoning Regulations.

  
TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

June 23, 1999

Mr. Thomas Hargis  
1324 Old Eastern Avenue  
Baltimore, Maryland 21221

RE: Petition for Special Hearing  
Case No. 99-385-SPH  
NWC Old Eastern Avenue and Essex Avenue

Dear Mr. Hargis:

Enclosed please find the decision rendered in the above-captioned case. The request for an amendment to the approved Zoning Case No. 96-246-SPH, to allow the installation of two outside car and truck lifts, has been approved, in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

c: Karen M. Springston  
Essex Revitalization Comm. Corp.  
Rick Wisnom, Inspections  
& Enforcement

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# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1322 Old Eastern Ave 21221  
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

" An amendmend to the approved zoning Case # 96-246-SPH  
to allow 2 Outside Car lifts "  
Truck

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

## Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

## Representative to be Contacted:

Name

Address

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By BH Date 3/30/99

Case No. 99-385-SPH

THOMAS E. PHELPS & ASSOCIATES, INC.

945 Barron Avenue  
Baltimore, Maryland 21221-5202  
(301) 574-6744

LAND SURVEYING

LAND PLANNING

Hargis Property  
Zoning Description

Beginning at a point at the northwesterly intersection of Old Eastern Avenue, an 80 foot Right of Way, with Essex Avenue, a 40 foot Right of Way. Thence the following courses and distances, viz;

1. South 83°46'00" West 100.00 feet,
2. North 06°14'00" West 145.00 feet,
3. North 83°46'00" East 100.00 feet, and
4. South 06°14'00" East 145.00 feet to the point of beginning.

Containing 14,500 square feet.



**99-385-SPH**

# 385

**BALTIMORE COUNTY, MARYL.**  
**OFFICE OF BUDGET & FINANCE**  
**MISCELLANEOUS RECEIPT**

No. **065430**

DATE 3/30/99

ACCOUNT Rec'd - 6150

AMOUNT \$ 250.00

RECEIVED FROM:

Thomas Harris

FOR:

Cable into Special Housing

**99.385.SPA**

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

11 21 1:38.5

CASHIER'S VALIDATION

PAID RECEIPT

7/31/99 5:30/1999 15:41:12  
MISCELLANEOUS RECEIPT  
RECEIVED BY  
CR 10 065430  
250.00 CHECK  
Baltimore County, Maryland

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-385-SPH  
1322 Old Eastern Avenue  
NWC Old Eastern Avenue and  
Essex Avenue  
15th Election District  
5th Councilmanic District  
Legal Owner(s): Thomas  
Hargis

Special Hearing: to approve an amendment to the approved zoning case number 96-246-SPH to allow 2 outside car and truck lifts.

Hearing: Friday, May 21, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

5/002 May 6 C309589

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/6/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/6/, 1999.

**THE JEFFERSONIAN,**

*S. Wilkinson*

**LEGAL ADVERTISING**



CERTIFICATE OF POSTING

RE: CASE # 99-385-SPH  
PETITIONER/DEVELOPER:  
[Thomas Hargis]  
DATE OF Hearing  
[May 21, 1999]

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Ave.  
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property located at  
1322 Old Eastern Ave. Baltimore, Maryland 21221\_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_ 5-5-99 \_\_\_\_\_  
[Month, Day, Year]

Sincerely,

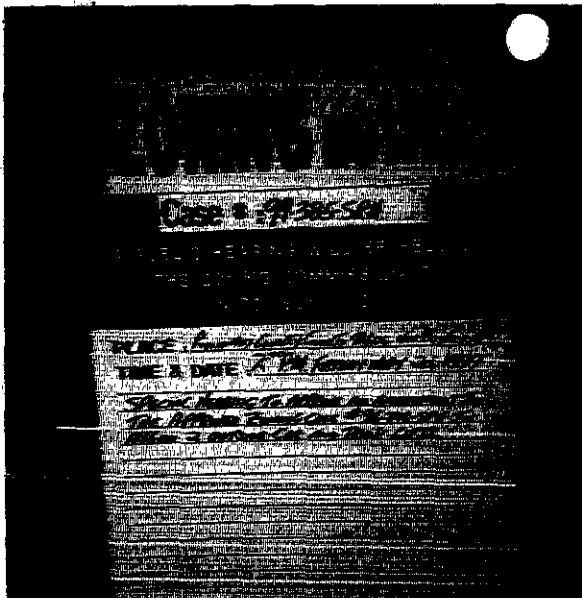
  
[Signature of Sign Poster & Date]

\_\_\_\_ Thomas P. Ogle, Sr. \_\_\_\_\_

\_\_\_\_ 325 Nicholson Road \_\_\_\_\_

\_\_\_\_ Baltimore, Maryland 21221 \_\_\_\_\_

\_\_\_\_ [410]-687-8405 \_\_\_\_\_  
[Telephone Number]



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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**For Newspaper Advertising:**

Item Number or Case Number: 99-385-SPH

Petitioner: Thomas HARGIS

Address or Location: 1324 Old Eastern Ave  
Balto Md. 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: Thomas HARGIS

Address: 1324 Old Eastern Ave  
Balto Md. 21221

Telephone Number: 410-391-7706

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than \_\_\_\_\_.

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No.: 99-385-SPH

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: Special Hearing to permit two outdoor auto and truck  
lifts and to amend the site plan as approved in case #  
96-246-SPH.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

**DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW**

**HANDICAPPED ACCESSIBLE**



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

April 15, 1999

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-385-SPH  
1322 Old Eastern Avenue  
NWC Old Eastern Avenue and Essex Avenue  
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owner: Thomas Hargis

Special Hearing to approve an amendment to the approved zoning case number 96-246-SPH to allow 2 outside car and truck lifts.

HEARING: Friday, May 21, 1999 at 2:00 p.m. in Room 407, County Courts Building,  
401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon". Below the signature is the handwritten number "349".

Arnold Jablon  
Director

c: Thomas Hargis  
Winnie Carpenter, Executive Office  
Councilman John Olszewski  
Rick Wisnom, Code Enforcement  
Michael P. Tanczyn, Esquire  
Karen M. Springston, Essex Revitalization Comm. Corp.  
Robert Moorefield, Inspector

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 6, 1999.**  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



TO: PATUXENT PUBLISHING COMPANY  
May 6, 1999 Issue – Jeffersonian

Please forward billing to:

Thomas Hargis  
1324 Old Eastern Avenue  
Baltimore, MD 21221

410-391-7706

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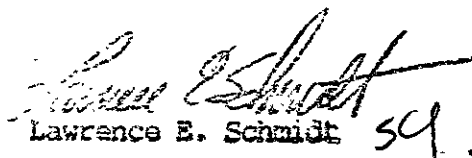
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Special Hearing to approve an amendment to the approved zoning case number 96-246-SPH to allow 2 outside car and truck lifts.

HEARING: Friday, May 21, 1999 at 2:00 p.m. in Room 407, County Courts Building,  
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

May 4, 1999

Mr. Thomas Hargis  
1324 Old Eastern Avenue  
Baltimore, MD 21221

Dear Mr. Hargis:

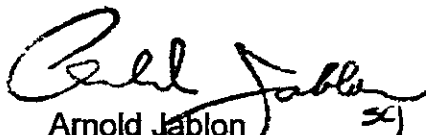
RE: Case Number 99-385-SPH, 1322 Old Eastern Avenue

The above matter, previously assigned to be heard on Friday, May 21, 1999 has been postponed due to a conflict in the Zoning Commissioner's schedule.

The case has been rescheduled for **Thursday, June 3, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

Please be advised that, as the postponement was due to a conflict in the Zoning Commissioner's schedule, Baltimore County will post a sticker with the new date and time on the hearing sign.

Very truly yours,

  
Arnold Jablon  
Director

AJ:scj

c: Winnie Carpenter, Executive Office  
Councilman John Olszewski  
Rick Wisnom, Code Enforcement  
Michael P. Tanczyn, Esquire  
Karen M. Springston, Essex Revitalization Comm. Corp.  
Robert Moorefield, Inspector

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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on Recycled Paper



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

May 14, 1999

Mr. Thomas Hargis  
1324 Old Eastern Avenue  
Baltimore, MD 21221

RE: Case No.: 99-385-SPH  
Petitioner: Hargis  
Location: 1322 Old Eastern Avenue

Dear Mr. Hargis:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on March 30, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** April 27, 1999

**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** 1324 Eastern Avenue

**INFORMATION:**

**Item Number:** 385

**Petitioner:** Thomas Hargis

**Zoning:** DR 5.5

**Requested Action:** Special Hearing

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning is opposed to the applicant's request. The property has a history of zoning violations, and it should be noted that the two lifts subject to the instant request are already in place on the site. Clearly, the use of residential property as a service garage is inappropriate and inherently incompatible. Based upon a site visit, it is obvious that this particular nonconforming use has resulted in over development of the applicant's property.

**Section Chief:**



**AFK/JL:**



BALTIMORE COUNTY, MARYLAND  
Inter-Office Correspondence

DATE: April 2, 1999  
TO: Sophie Jennings  
Zoning Review  
FROM: James H. Thompson  
Code Inspections and Enforcement  
RE: Case No. 99-385 SPH  
Hargis - Petitioner

When this matter is scheduled for a public hearing please notify the following individuals:

Winnie Carpenter, Executive Office  
Councilman John Olszewski  
Rick Wisnom, Code Enforcement  
Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson,  
MD 21204  
Karen M. Springston, Essex Revitalization Comm. Corp., 1015A Old Eastern  
Avenue, Baltimore, MD 21221  
Inspector Robert Moorefield

Furthermore, this property is subject to an active violation case, 99-0262.

JHT/lmh

99-385-SPH

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 9, 1999

TO: Larry E. Schmidt  
Zoning Commissioner

FROM: James H. Thompson - RM  
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 385  
PETITIONER: Thomas Hargis

VIOLATION CASE NO.: 98-1353

LOCATION OF VIOLATION: NWC Old Eastern Avenue  
(1322 Old Eastern Avenue)  
15<sup>th</sup> Election District

DEFENDANT(S): Thomas Hargis

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/rm/lmh


99-385-SPH

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: April 22, 1999

FROM:  Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting  
for April 19, 1999  
Item Nos. 380, 383, (385), 387, 389,  
390, 391, 392, and 393

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



**Baltimore County  
Fire Department**

700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4500

April 19, 1999

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 12, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

380, 381, 382, 383, 384, 385, 387, and 388

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 387-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development Management

DATE: \_\_\_\_\_

FROM: R. Bruce Seeley, Project Manager  
Development Coordination  
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 4/12/99

The Department of Environmental Protection and Resource Management has  
no comments for the following Zoning Advisory Committee Items:

Item #'s: 381  
382  
384  
385  
386  
387  
388  
391  
392



**Maryland Department of Transportation  
State Highway Administration**

Parris N. Glendening  
Governor  
John D. Porcari  
Secretary  
Parker F. Williams  
Administrator

Date: 4.16.99

Ms. Gwen Stephens  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

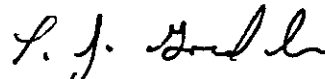
RE: Baltimore County  
Item No. 385 BR

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

  
for Michael M. Lenhart, Acting Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING  
1322 Old Eastern Avenue, NWC Old Eastern Ave  
and Essex Ave, 15th Election District,  
5th Councilmanic

Legal Owners: Thomas Hargis

Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case Number: 99-385-SPH

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15<sup>th</sup> day of April, 1999, a copy of the foregoing Entry of Appearance was mailed to Legal Owner Thomas Hargis, 1324 Old Eastern Avenue, Baltimore, MD 21221, Petitioner(s).

Peter Max Zimmerman  
PETER MAX ZIMMERMAN



Baltimore County  
Department of Permits and  
Development Management

*7/6 Permit Needed*

Code Inspections and  
Enforcement  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmenforce@co.ba.md.us  
pdinspect@co.ba.md.us

February 16, 1999

Mr. Thomas Hargis  
1324 Old Eastern Avenue  
Baltimore, Maryland 21221

Dear Mr. Hargis:

RE: Case No. 99-262, 1324 Old Eastern Avenue

As a result of our correction notice of February 5, 1999, (enclosed) the Bureau of Code Enforcement, had been contacted by Karen M. Springston, Community Business Liaison of the Essex Revitalization Community Corporation, on February 10, 1999. Prior to our discussion, I had been informed by Rick S. Wisnom, Chief of Code Inspections and Enforcement, that under the BOCA code no permit is required for the installation of the outside car lifts. Furthermore, the necessity may not exist for another public hearing to amend Special Hearing Case No. 96-246-SPH relative to the outside car lifts. Section 104.3 of the Baltimore County Zoning Regulations (enclosed) does permit expansion, but limited to no more than 25% of the ground floor area of the building in use. Therefore, by March 2, 1999, a revised site plan must be submitted to this department, wherein, Zoning Review will make the determination whether a violation does exist.

Sincerely,

James H. Thompson  
Code Inspections and  
Enforcement Supervisor

JHT/hek  
Enclosures

c: Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson, MD 21204  
Karen M. Springston, Essex Revitalization Comm. Corp., 1015A Old Eastern Avenue,  
Baltimore, MD 21221  
Inspector Robert Moorefield

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)







Baltimore County  
Department of Permits and  
Development Management

Code Inspections and Enforcement  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension 7289  
Building Inspection: 410-887-3953 (Voice)

Plumbing Inspection: 410-887-3620  
Electrical Inspection: 410-887-3960

### BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE  
BALTIMORE COUNTY CODE, ZONING, OR OTHER  
CODES, REGULATIONS, AND POLICIES AS  
INDICATED BELOW:

Violation Notice No.

**112772**

Case No.:

**99-262**

Election District 15 Permit No. \_\_\_\_\_

Name (s) Thomas Hargis (and current occupants)

Address 1322 Old Eastern Ave, Essex, Md 21221

Location of Violation (if different than address) 1324 Old Eastern Ave 21221

Vehicle License No.: \_\_\_\_\_

Vehicle ID: \_\_\_\_\_

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ 32-1 (Solid Waste, Open Dump)  
§§ 32-5; 32-3(F); 32-36

Zoning Regulations:

§§ 101, 102.1, 104, 1B01-1A,  
§§ 405A, 408, 409

Building Code (BOCA):

§§ \_\_\_\_\_  
§§ \_\_\_\_\_

Livability Code (18-66):

§§ \_\_\_\_\_  
§§ \_\_\_\_\_

Investment Property Act (7-66):

§§ \_\_\_\_\_

Electrical Code (NEC):

§§ \_\_\_\_\_

Plumbing Code (NSPC):

§§ \_\_\_\_\_

Dwelling (CABO):

§§ \_\_\_\_\_

Other: §§ \_\_\_\_\_

COMMENTS OR OTHER VIOLATIONS:

(1) Remove exterior lifts - no lifts to be installed and/or used until (and if) all paperwork required is submitted and approved and public hearings are held and when and if ~~amendments~~ amendments to special hearing case #96-2465PB are allowed. (2) Remove all car parts, junk, etc - cease operation of junk yard (3) Attach license to sign (4) Follow site plan

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE 2-15-99 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 2-5-99

INSPECTOR: R. Moorefield

#### STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: \_\_\_\_\_

DATE ISSUED: \_\_\_\_\_

INSPECTOR: \_\_\_\_\_

IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE. PLEASE READ CAREFULLY.

AGENCY

OWNER/INFORMANT

TAX ACCOUNT

INSPECTION

SEE 1/24/99

REINSPECTION

2/2/99 -

1322 Old Eastern Ave

Compliments installed out

REINSPECTION

repaired back

2/5/99 -

notice issued

had been removed

REINSPECTION

2. The provisions in Sections 26-447 through 26-451 and Section 26-454 of the Baltimore County Code, pertaining to wetlands, buffers, habitat protection areas and water-dependent facilities.
3. Other applicable county laws or regulations in effect at the time a right is exercised.

**Section 104**  
**Nonconforming Uses**  
**[BCZR 1955]**

- 104.1 A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these regulations, provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, the right to continue or resume such nonconforming use shall terminate. **[Bill Nos. 18-1976; 124-1991]**
- 104.2 A structure damaged to any extent or destroyed by fire or other casualty may be restored within two years after such destruction or damage but may not be enlarged. In the case of residentially used structures which are nonconforming in density, the number of dwelling units or density units rebuilt may be equal to but may not exceed the number of units which existed before the casualty. **[Bill No. 124-1991]**
- 104.3 No nonconforming building or structure and no nonconforming use of a building, structure or parcel of land shall hereafter be extended more than 25% of the ground floor area of the building so used. This provision does not apply to structures or uses restored pursuant to Section 104.2, except as authorized by the Zoning Commissioner pursuant to Section 307. **[Bill No. 124-1991]**
- 104.4 Exception. Any contrary provision of these regulations notwithstanding, an office building that was authorized by grant of a special exception and that becomes damaged to any extent or destroyed by casualty may be fully restored in accordance with the terms of the special exception. **[Bill Nos. 167-1980; 124-1991]**
- 104.5 Any use which becomes or continues to be nonconforming which exists within the Chesapeake Bay Critical Area on or after the effective date of this section is subject to the provisions of Sections 104.1, 104.2 and 104.3 and to the variance provisions and procedures of Section 26-207, 26-445 or 26-453 of the Baltimore County Code, 1988 Edition, as revised, whichever is or are applicable. **[Bill Nos. 32-1988; 124-1991; 9-1996]**
- 104.6 A striptease business lawfully operating prior to the effective date of this legislation<sup>34</sup> that is in violation of the requirements contained herein shall be deemed a nonconforming use. A striptease business which is a nonconforming use:

<sup>34</sup> Editor's Note: Apparently refers to Bill No. 137-1990.



Baltimore County  
Department of Permits and  
Development Management

Code Inspections and  
Enforcement  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmenforce@co.ba.md.us  
pdminspect@co.ba.md.us

March 4, 1999

Mr. Thomas Hargis  
1324 Old Eastern Avenue  
Baltimore, Maryland 21221

*Tms*  
*March 30*  
*3:00*

*687-9080*  
*839-5087*

Dear Mr. Hargis:

*Violation # 112772*

RE: Case No. 99-262, 1324 Old Eastern Avenue

A review of the revised site plan of 1324 Old Eastern Avenue has been completed by John Sullivan of Zoning Review. A determination has been made by their staff that if the two outside car lifts are to possibly remain on site, a public hearing to amend Special Hearing Case No. 96-246-SPH would be in order. Therefore, within 30 days from the date of this correspondence, a petition filing date must be established with Zoning Review (410-887-3391). Failure to proceed in this matter will result in the issuance of a citation imposing monetary fines of \$200 per day/per violation. This office trust that such action will not be necessary, noting the quick response time involved in submitting the revised site plan.

As always, if additional questions remain, please contact us at 410-887-3352.

Sincerely,

*3391*

James H. Thompson  
Code Inspections and  
Enforcement Supervisor

JHT/hek

c: Winnie Carpenter, Executive Office

Councilman John Olszewski

Rick Wisnom, Code Enforcement

Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson, MD 21204

Karen M. Springston, Essex Revitalization Comm. Corp., 1015A Old Eastern Avenue,  
Baltimore, MD 21221

~~Inspector Robert Moorfield~~

**99-385-SPH**

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)

*# 385*



William Harris, Sr.  
1315 Dorsey Avenue  
Baltimore, MD 21221

RE: Trans-Tech Transmissions  
1322 Old Eastern Avenue  
Baltimore, MD 21221

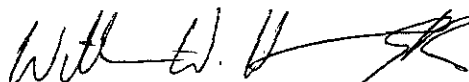
To Whom It May Concern:

I live behind Trans-Tech Transmissions, formerly Mark's Garage. I had noticed 2 Electric Lifts on the property that were raised at night. I have 3 children and was worried about their safety, if they disobeyed me and got underneath of one.

I went to Trans-Tech and spoke with Mr. Gil Rice and he assured me that it was positively safe. He showed me how the Lifts operate and how they lock, and that he also unplugs them so that there is no way for them to move.

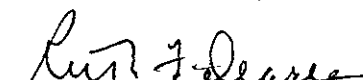
I am totally satisfied that the Lifts are completely safe for my children or anyone else. The prior business owner before Mr. Rice was filthy dirty, had cars spread all over the streets and church property, and did not care about our neighborhood. Mr. Rice keeps the grounds clean, his cars are always out of the way, and is the best neighbor we could ask for.

Sincerely,

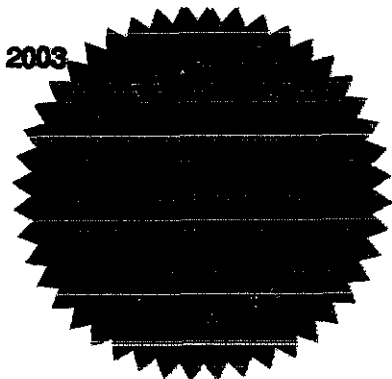


William W. Harris, Sr.

WWH/kjh

  
**RUTH F. DEARDEN**

Notary Public  
Baltimore City, MD  
My Comm. Exps. April 1, 2003



# MARS HILL BAPTIST CHURCH

1400 Old Eastern Avenue  
Baltimore, Maryland 21221  
410-686-1617

the church with a heart

Steve Johnson, Pastor



Whereas Gil Rice of Trans-Tech Transmissions (present tenant of 1322 Old Eastern Avenue) has made a concerted effort to communicate and cooperate with members of Mars Hill Baptist Church of Essex, Maryland; and

Whereas Gil Rice has met twice with Pastor Steve Johnson to verbally affirm his commitment to keep Essex Avenue and surrounding streets clear of vehicles and to report any suspicious and/or illegal activities on surrounding property to the police and church leadership and we have found that his business practices are compatible with the surrounding community; and

Whereas Gil Rice reaffirmed on May 18, 1999 his desire to have a good relationship with the residents of Essex and the members of Mars Hill Baptist Church and to respond to any complaints or suggestions made to Trans-Tech Transmissions;

Therefore, be it *resolved* on May 19, 1999 by the assembled membership of Mars Hill Baptist Church to support Gil Rice and Trans-Tech Transmissions in Case Number: 99-385-SPH to approve an amendment to allow two outside car and truck lifts.

(The above resolution was approved in an unanimous vote by the assembled members of Mars Hill Baptist Church in the regularly scheduled business session of Mars Hill Baptist Church on May 19, 1999.)

Trustee Chairman Joseph P. Bul Date May 20, 1999

MARS HILL BAPTIST CHURCH  
1400 OLD EASTERN AVENUE  
BALTIMORE, MD 21221

the church with a heart



STEVE JOHNSON  
PASTOR

CHURCH OFFICE:  
(410) 686-1617

HOME:  
(410) 682-2050

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Thomas HARGIS

Gilbert Ray Rice

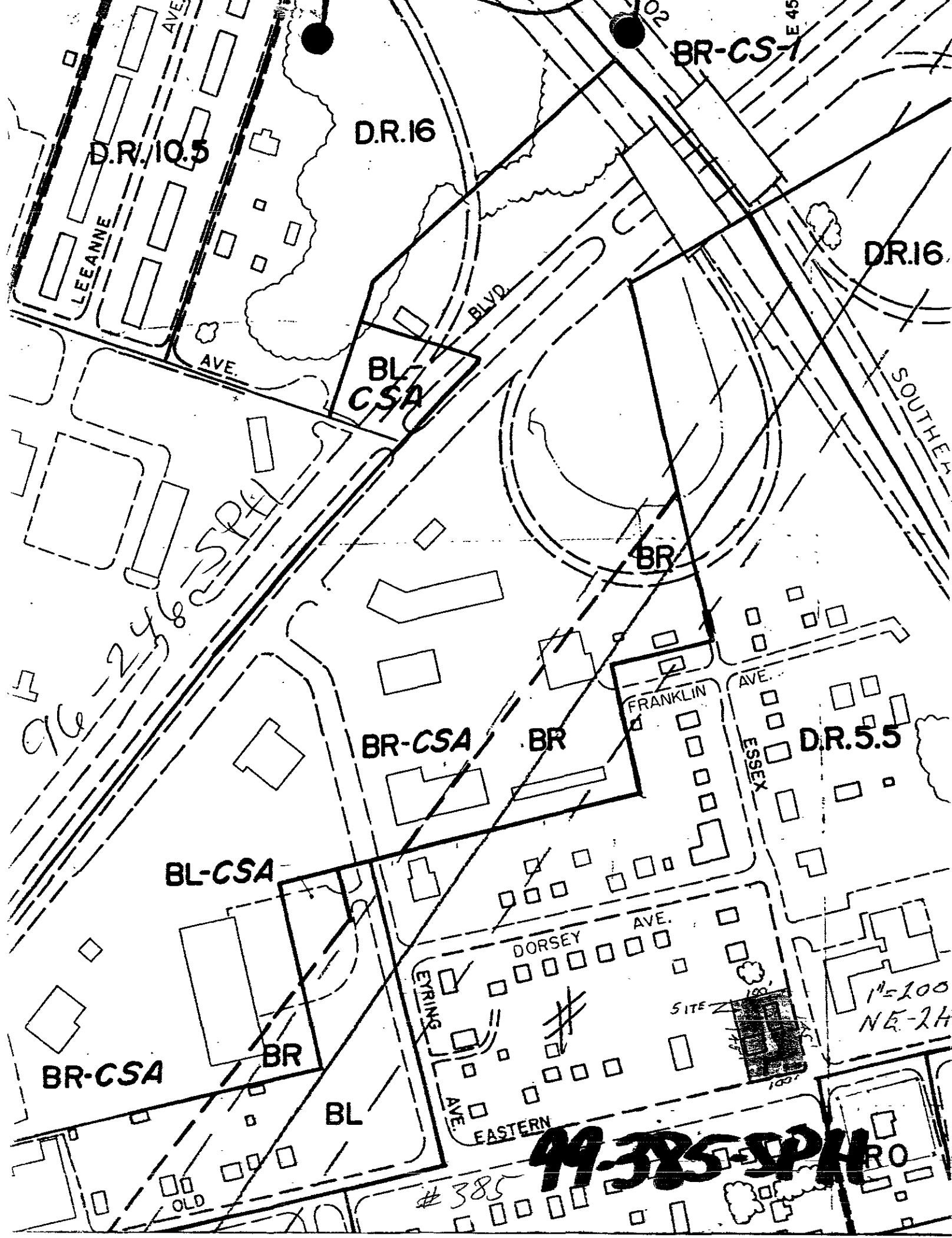
Christina Maria Waugh

825 Woodrow Ave 21221

6 Woodside Dr. <sup>Cannington Ind</sup> ~~Cannington~~ 21918

1324 Old Eastern Ave. 21021





D.R. 10.5

D.R. 16

BR-CSA

DR.16

BL  
CSA

BR

BR-CSA

BR

BL-CSA

D.R. 5.5

BR-CSA

BR

BL

DORSEY

AVE.

ERYING

AVE.

EASTERN

FRANKLIN

AVE.

ESSEX

SITE

100'

75'

100'

1"=100'  
NE-2H

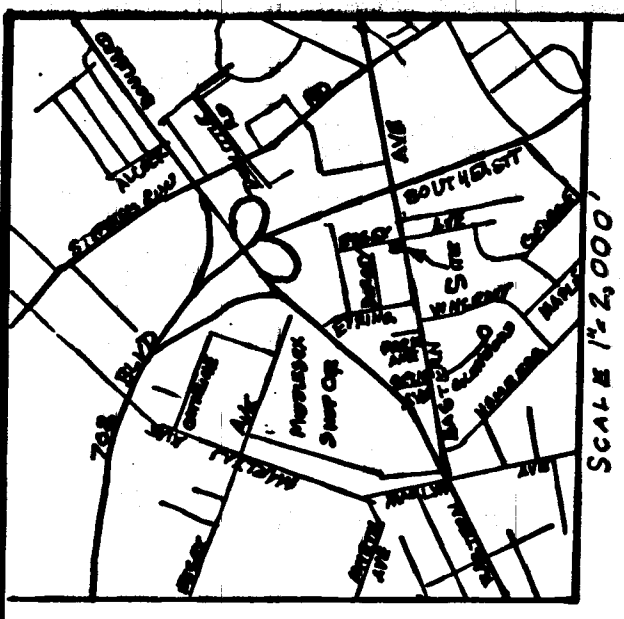
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99-385-SP

RO

OLD

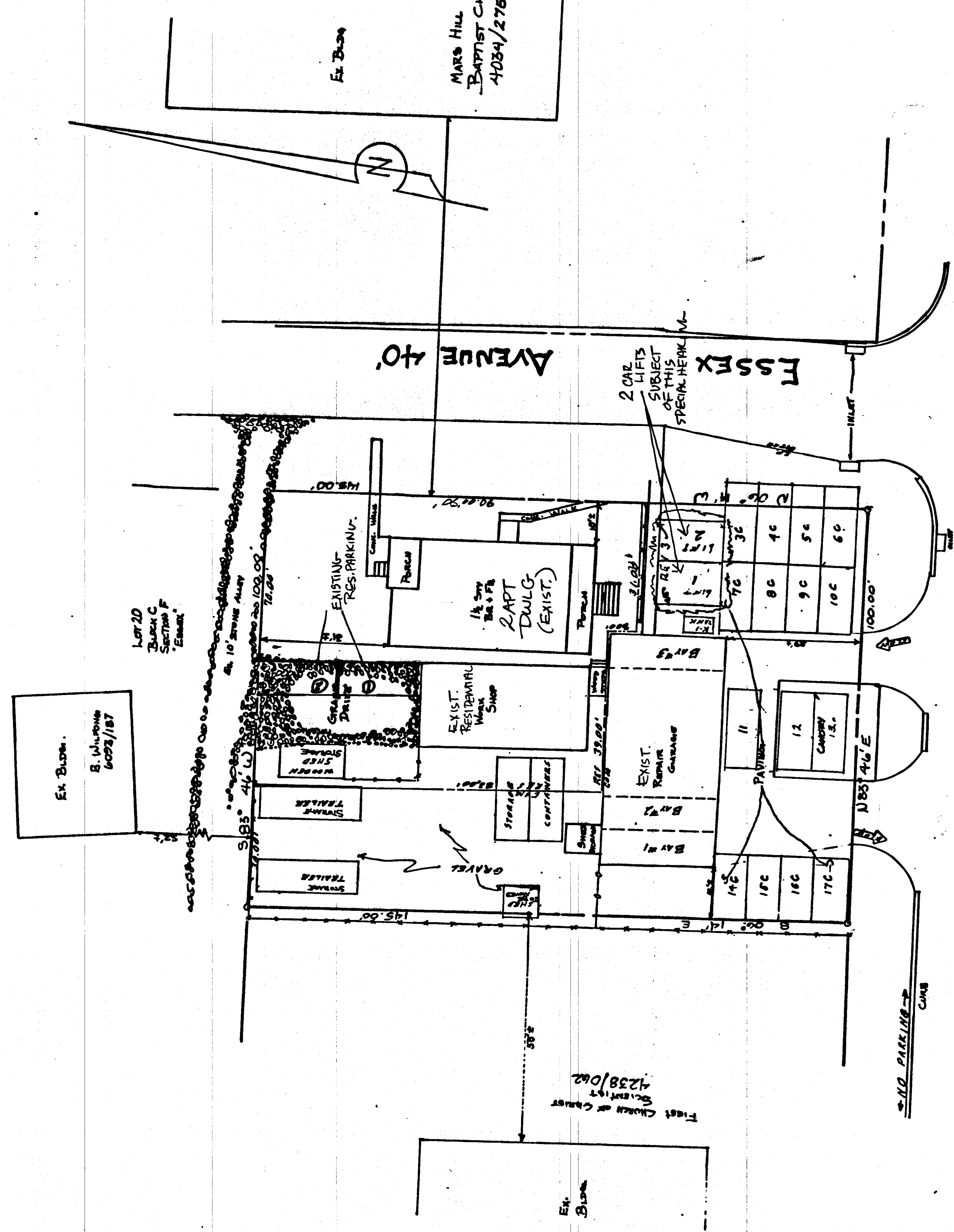




**NOTES**

- 1) PROPERTY IS ZONED DR 6.5
- 2) PROPERTY IS NOT IN C.B.C.A.
- 3) ELECTION DISTRICT-15
- 4) COUNCILMANIC DISTRICT-5
- 5) CENSUS TRACT- 4503.01
- 6) REGIONAL PLANNING DISTRICT- 328
- 7) RESIDENTIAL AREA- 6075 SQ. FT.
- 8) COMMERCIAL AREA- 470 SQ. FT.
- 9) SERVICE GARAGE AREA- 55' x 29' = 1,595 SQ. FT. BLDG.
- 10) PARKING REQUIREMENT- 597.33 @ 1000 = 5,266.68 SPACES
- 11) STREET PARKING NOT PART OF SPECIAL HEARING
- 12) GARAGE IS NOT PART OF SPECIAL HEARING
- 13) HUMAN TO COVER BUILDING K1 FUEL
- 14) C- COMPACT CAR

PRIOR ZONING CASE # 96-246-SPH  
APPROVED SERVICE GARAGE



OLD EASTERN AVENUE 80'

ESSEX AVENUE 40'



<b>THOMAS E. PHELPS &amp; ASSO., INC.</b> 945 SARON AVENUE BALTO., MARYLAND 21221 PHONE: (410) 574-6744	
SPECIAL HEARING PART Newcomer's Special Use - Service Garages 1324 Old Eastern Avenue Baltimore Co., Maryland 21221	DRAWN BY: TUL SCALE: 1" = 20' CHECK BY: T.E.P. DATE: 11-9-95
REVISIONS 1. Initial Concept 2. Final Plan 3. Final Plan 4. Final Plan 5. Final Plan	95276

OWNER: THOMAS HARRIS  
1324 Old Eastern Ave.  
BALTO., MD 21221  
8750/584  
#15 06201180  
DR 6.5

DET. EX. 1  
99.385.SPH

#385

#1  
90x3x